

February 10, 2015
Special Council Meeting & Council Workshop
12191 Magnolia Springs Hwy
Magnolia Springs, Al.
4:45 P.M.

Before the Special Council Meeting started the clerk had all Council Members that were present sign the Special Council Meeting Notice.

1. Call to Order

Mayor Underwood called the meeting to order at 4:45 p.m.

2. Roll Call

Members present – Mayor Underwood - Council Members: Dotty Johnson, Bob Holk, and Ben Dykema. Also present: Town Clerk - Karen S. Biel and Legal Counsel – Brad Hicks. Not present Jim May.

3. Invocation and Pledge – led by Mayor Underwood

4. Resolution 2015-02 – Regarding Bids and Awarding County Road 49 Sidewalk Project

Mayor Underwood stated that after Volkert Engineering reviewed all of the bid proposals that they are recommending that the project be awarded to McElhenney Construction Company with the low bid of \$147,011.63.

Motion by Councilmember Holk, 2nd by Councilmember Dykema to adopt Resolution 2015-02. All in favor. Motion carried.

5. Declaring a Vacant Council Seat and Accepting the Resignation of Tom Webb

Mayor Underwood explained that Tom Webb turned in his resignation on February 9, 2015 effective that day. The clerk informed the Town Council that if the Council wishes to discuss the resignation and declare the seat vacant there would have to be a vote by the Council to do so since the Special Meeting was not called for this issue.

Motion by Councilmember Johnson, 2nd by Councilmember Holk to consider the resignation and to declare the council seat vacant. All in favor. Motion carried.

Councilmember May joined the meeting at 5:00 p.m.

Motion by Councilmember Johnson, 2nd by Councilmember Holk to accept the resignation and to declare the seat vacant. All in favor. Motion carried.

Councilmember Johnson asked about the timing of the sixty days for the council to fill the vacant seat and asked if it needed to be advertised. Legal counsel stated that it did not have to be advertised. No one is entitled to petition to be the person (to fill the seat), it is the council's collective wisdom for who you want to serve. Legal counsel added that council members should discuss with someone ahead of time whether they would like serve before nominating them. Councilmember Johnson then asked Donna Esslinger (who was sitting in the audience) if she would be willing to serve because she is at most of the meetings. Donna Esslinger stated that she would be interested and honored. Councilmember Holk stated that the town is glad to have someone that is interested in the workings of the government.

Motion by Councilmember Johnson, 2nd by Councilmember May to adjourn the Special Council Meeting. All in favor. Motion carried.

Special Council meeting ended at 5:06 p.m.

Mayor Underwood opened the Council Workshop at 5:06 p.m.

1. Discussion of minutes – January

Workshop Meeting – 1/13/2015

Regular Council Meeting – 1/27/2015

No corrections noted.

2. Discussion of Financials and Expenditures - January

The Mayor reported: Balances as of 1/31/2015 - General Fund - \$94,626.83. Income - \$66,837.99. Expenses - \$44,545.04. Money Market - \$187,406.51. CD - \$54,016.20. Special Revenue 4, 5, & ~~7~~ Gas Tax - Income \$302.53, Balance - \$16,001.04.

3. Deputy Smith's Monthly Report

Deputy Smith reported: 3 arrests - 121 traffic stops – 27 citations – 68 warnings – 26 verbal warnings.

4. Public Comment

No public comment

5. Discussion – Application to use Magnolia Springs Property – Seafood Celebration

The clerk informed the Council that Eddie Sue Winter was going to attend the meeting but she was ill. The clerk told Ms. Winter that the council would not be voting on it at the workshop meeting.

6. Discussion – South Baldwin Chamber Magnolia Run

Mayor Underwood stated that the chamber is asking for permission to have the run on April 11, 2015.

7. Discussion – Resolution – Usage of Certain Land in the Town for Events and Activities

Mayor Underwood stated the town attorney has drafted a resolution for the council's consideration. Legal Counsel, Brad Hicks stated this came up in discussion at the last meeting because of the couple that wanted to use Oak Street for a wedding. Brad redrafted the old resolution that pertained to the rental of the school property, which this resolution will encompass all of the town's property. Brad added that this is to get the conversation started, and he asked that the council review it so that it can be discussed at the next workshop.

8. Committee/Commission reports

a) **Public Works & Safety** – Councilmember Holk reported that the committee discussed:

1. The sidewalk getting started.
2. Waiting to hear from the County on the ditch work.
3. Sheriff Mack did state that the Deputy can encourage our enforcement of our ordinances.

b) **Public Lands** – Councilmember Dykema reported that the committee discussed:

1. Rock Street situation with the flyers being left on the vehicles.
2. The grant for the Springs cleanup.
3. The kiosk for Magnolia Landing.

c) **Historic Preservation Commission** – Mayor Underwood reported that the Commission discussed:

1. David Houser is drafting some sketches for the kiosk at Magnolia Landing. The Commission will review the plans and then they will present them to the Council.
2. Commission is ordering some new streets signs for the Historic District.

Councilmember Holk explained that someone is leaving messages on kayaker's vehicles that are parked on Rock Street. This message seems to imply that it is from the town. The clerk is receiving emails and phone calls from kayakers that have received the messages. Councilmember Holk feels that the town needs to contact the adjoining property owners and inform them that it is going on and if they know of who might be responsible for doing this to ask them to stop before the town will have to take action. Councilmember Johnson asked if the town has the authority to put in parking and if we do, we need to move forward with that. Mayor Underwood asked Brad to draft a letter to send to the adjoining property owners. Councilmember Holk stated that there does need to be some trimming done down on the right-of-way on Rock Street and this would let people know that it is available for use. Parking areas and signage were also discussed for Rock Street. Councilmember Holk stated that no one has complained about having a problem parking there it's just that someone is trying to encourage them not to do so.

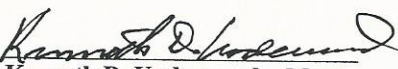
The clerk informed the Council that the application she submitted for Tree City at the beginning of December had been lost but was found today on someone's desk. The application is all in order and looks like we should be receiving our notice soon. We will also receive a Tree City flag and Tree City signage.

Councilmember May stated that he talked to Mr. Christenberry (School Board Member) and was told they didn't even talk about the school property after the town's presentation. They are so busy with the Build Baldwin but that Mr. Christenberry was going to try and talk with Mr. Owen.

Motion by Councilmember Johnson, 2nd by Councilmember May to adjourn. All in favor. Motion carried.

Meeting ended at 6:00 pm

Approved this the 24th day of March, 2015


Kenneth D. Underwood – Mayor

ATTEST:


Karen S. Biel – Town Clerk